

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,                      Docket No. 3:18CR26  
  
                    Plaintiffs,                      Toledo, Ohio  
  
                    v.                                      March 6, 2019  
  
KARL J. ROGERS,  
  
                    Defendant.

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TRANSCRIPT EXCERPT OF JURY TRIAL - VERDICT  
BEFORE THE HONORABLE JAMES G. CARR  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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For the Defendant:  
  
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Proceedings recorded by mechanical stenography, transcript  
produced by notereading.

1           THE COURT: I understand the jurors have a  
2 verdict. Deanna, please get the jury. I will tell the  
3 jurors, I'll go back and let them know -- I'll spend 10 or  
4 15 minutes with them. I also tell them if they have any  
5 interest in talking to the lawyers at all, I understand  
6 this, that or other in terms of any suggestions or tips and  
7 so forth. Some jurors do, lots of jurors go home, so if  
8 you want to stick around for that, that's fine. It's  
9 entirely up to you folks.

10                   (Jury has entered the courtroom.)

11           THE COURT: You may be seated.

12           Okay. Ladies and gentlemen, I understand you  
13 have a verdict. And if the foreperson will please hand the  
14 verdict forms to the -- to Deanna. Thank you.

15           If the clerk will please read the verdict.

16           COURTROOM DEPUTY: In the United States District  
17 Court for the Northern District of Ohio, Western Division,  
18 case number 3:18CR26, United States of America versus Karl  
19 J. Rogers, we the jury unanimously find the defendant  
20 guilty as charged in the indictment.

21           Signed by all 12 jurors.

22           THE COURT: Does either counsel wish to have the  
23 jury polled?

24           MS. TANGEMAN: No, Your Honor.

25           MR. WINEMAN: Yes, Your Honor, please.

1 THE COURT: I'll begin here and go down with  
2 juror number one, is that your verdict?

3 JUROR: Yes.

4 THE COURT: Number two, is that your verdict?

5 JUROR: Yes.

6 THE COURT: Number three, is that your verdict?

7 JUROR: Yes.

8 THE COURT: Number four, is that your verdict?

9 JUROR: Yes.

10 THE COURT: Number five, is that your verdict?

11 JUROR: Yes.

12 THE COURT: Number six, is that your verdict?

13 JUROR: (Nonverbal response).

14 THE COURT: Okay. I didn't hear an answer.

15 JUROR: Yeah.

16 THE COURT: Okay. Thank you. Number seven --  
17 now number seven?

18 JUROR: Yes.

19 THE COURT: Number eight, is that your verdict?

20 COURTROOM DEPUTY: We're on number nine now,  
21 Judge.

22 THE COURT: Pardon?

23 COURTROOM DEPUTY: We let number seven go so  
24 we're on nine --

25 THE COURT: I meant sitting -- is that your

1 verdict?

2 JUROR: Yes.

3 THE COURT: Sir, is that your -- or, ma'am, I  
4 can't see, I'm sorry. Is that your verdict?

5 JUROR: Yes.

6 THE COURT: Okay.

7 JUROR: Yes, Judge.

8 THE COURT: Is that your verdict too?

9 JUROR: Yes, Your Honor.

10 THE COURT: Okay.

11 JUROR: Yes.

12 THE COURT: Very well. I think we've gotten --  
13 all 12 have confirmed that that's their verdicts. The  
14 verdict and judgment will be entered accordingly.

15 Ladies and gentlemen, your services are now done.  
16 If you're agreeable I'd like to come back and say a few  
17 words to you personally about how deeply and sincerely and  
18 how grateful I am, the parties are, the community is, for  
19 your service. And trust you took to heart -- I won't  
20 repeat what I said yesterday morning at the outset, but I  
21 think that the American jury system is the finest ball work  
22 against tyranny any and government overreach and  
23 unrestrained governmental power in terms of both the life  
24 and liberty of its citizens that the mind of man has ever  
25 created. And also for a brief span you have been the most

1 important part in the best judicial system, the best system  
2 for deciding right and wrong, adjudicating disputes that  
3 the mind has ever created. No matter what other critics  
4 may say about the Federal Judiciary, think about it, think  
5 what you've experienced. There has never been anything  
6 that has stood more strongly and firmly as protector of our  
7 rights and the integrity of the Republic than the American  
8 jury, 12 ordinary citizens. I use that term in the most  
9 positive way possible, ordinary citizens. Every one of you  
10 had something else you were going to be doing this past  
11 couple of days when you came for voir dire, every one of  
12 you, we know that, we understand it. But unlike so many  
13 other people, some people don't even register to vote  
14 because they don't want to do jury service. I hope you go  
15 away with a sense of not only shame on you because that  
16 ballot was fought with bodies and bullets beginning at  
17 Lexington and it's still happening today. And to throw it  
18 away because you do not want to do the job that you have  
19 done, not only shame on people of that mind set or others  
20 that don't want to do that job, but I hope you go away  
21 feeling just a little bit sorry for them because of what  
22 they've missed. As difficult as that job is, our liberties  
23 and our security depend upon you, the ordinary citizen,  
24 much more than they do on me. They really do. So thank  
25 you very much.

1           If you have a few more minutes I'd like to come  
2 back and thank you each personally. Thank you very much  
3 for your service, your patience, your deliberation and your  
4 verdict.

5                       (Jury excused.)

6           THE COURT: You may be seated. Anything further  
7 for the government?

8           MS. TANGEMAN: Yes, Your Honor. We would ask  
9 that the defendant be remanded into custody.

10          THE COURT: I understand. Mr. Wineman, anything  
11 further, do you accept that --

12          MR. WINEMAN: Your Honor, we believe that Karl  
13 does not represent a flight risk.

14          THE COURT: I agree completely. Quite candidly,  
15 Ms. Tangeman, the government's right, I think it's  
16 mandatory, but I think that the -- even though he no longer  
17 is clothed in the presumption of innocence, and even though  
18 the law properly gives me the authority and power to return  
19 him -- to remand him to custody, I think as an important  
20 aspect of due process of law that I make that  
21 determination.

22          MR. WINEMAN: Yes, Your Honor.

23          THE COURT: This young man is going to be far  
24 better off spending the next three or four weeks or  
25 whatever at home with the people who have come here, one of

1 the most dreadful experiences of their lives, and said I  
2 stand up for my boy, I stand up for my brother. That's the  
3 kind of support you're going to need that you're looking  
4 forward eagerly to take. I think everybody who saw you  
5 testify understands that. And that is not to excuse the  
6 role that you played in what happened, what everybody saw.

7 And so over the government's objection with the  
8 right to appeal, the defendant will be allowed to report  
9 when and as The Bureau -- The Bureau of Prisons, the  
10 Marshal Service notifies him when and where to report.  
11 Probably be two to four weeks I think. That's usually  
12 typical time, isn't it, Jim -- Matt, I'm sorry, I can't  
13 see. It's about four weeks, but you'll be told when and  
14 where to go. And that's after the sentence of course. So  
15 I've got to impose the sentence -- the sentencing date will  
16 be --

17 COURTROOM DEPUTY: Sometime in late August.

18 THE COURT: I haven't picked the date, we'll give  
19 it to you later. There'll be -- a pretrial service  
20 probation officer will have an interview with you.  
21 Mr. Wineman has a right to attend, I would too -- under all  
22 circumstances, I would have my lawyer with me, very  
23 thorough background check, usually about 20, 30 pages long.  
24 Lawyers get a copy, Mr. Wineman will go over it with you.  
25 If there are any mistakes at all, he'll call them to the

1 officer's attention. He or she will correct them. If  
2 there's some that aren't corrected to your satisfaction,  
3 then I will adjudicate those at sentencing, and that will  
4 be sometime in August. Okay. I really think --

5 MR. WINEMAN: Thank you.

6 THE COURT: The government's standpoint, I think  
7 that all of us are better off if this young man is home and  
8 beginning to work at this very serious and awful problem.

9 Once again, I want to commend the lawyers for a  
10 case well tried. I really appreciate it. So, Matt, if you  
11 want to stick around a little longer, that's fine too.

12 Thank you. We'll be in recess.

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I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

s:/Angela D. Nixon	March 11, 2019
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Angela D. Nixon, RMR, CRR	Date